

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 3:02-00231

JOHN DAVID MOONEY

ORDER

Pending is Defendant's Motion to Withdraw Plea of Guilty (Doc. #91). Pursuant to the remand of this action, the Court **GRANTS** the motion.

Pending is Defendant's Motion for Revocation of Detention Order or in the Alternative to Transfer Detention Facility (Doc. #92). The Court **DENIES** the motion in part and **GRANTS** the motion in part. The United States Marshal Service is **ORDERED** to transfer the Defendant to the customary place for detention of a prisoner awaiting trial in the Huntington Division.

Pending is Defendant's Letter-Form Motion to Appoint Counsel (Doc. #94). The Court **DENIES** the motion as moot.

The Court **DIRECTS** the Clerk to send a copy of this Order to the defendant and counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

ENTER: October 3, 2007


ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE